

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

EMG TECHNOLOGY, LLC,

Plaintiff,

v.

MICROSOFT CORPORATION,
SCOTTRADE, INC.,
SOUTHWEST AIRLINES CO.,
PRICELINE.COM, INC.,
ZAGAT SURVEY, LLC, &
COMCAST CORPORATION,

Defendants.

CASE NO. 6:09-CV-367-LED

LEAD CONSOLIDATED

JURY TRIAL DEMANDED

EMG TECHNOLOGY, LLC,

Plaintiff,

v.

APPLE, INC.,
AMERICAN AIRLINES, INC.,
HYATT CORPORATION,
MARRIOTT INTERNATIONAL, INC., &
BARNES & NOBLE, INC.,

Defendants.

CASE NO. 6:08-CV-447-LED

CONSOLIDATED

JURY TRIAL DEMANDED

**ORDER GRANTING JOINT MOTION OF
PLAINTIFF EMG TECHNOLOGY, LLC AND DEFENDANT SCOTTRADE, INC.
FOR DISMISSAL WITH PREJUDICE**

Before the Court is the Joint Motion of Plaintiff EMG Technology, LLC and Defendant Scottrade, Inc. for Dismissal With Prejudice. Having considered the Joint Motion, the Court is of the opinion that it is well taken and should be GRANTED.

The Court therefore ORDERS that all claims and counterclaims asserted in this case between Plaintiff EMG Technology, LLC and Defendant Scotttrade, Inc. are DISMISSED WITH PREJUDICE pursuant to Federal Rule of Civil Procedure 41(a)(2) and (c) and the confidential settlement agreement between these parties. Each party shall bear its own attorneys' fees and costs.

So ORDERED and SIGNED this 12th day of July, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**